

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 2016

A meeting of the Town of Hanson Planning Board was held on **November 21, 2016** at the Hanson Town Hall, 542 Liberty Street, Hanson, MA. Members present were Chairman Joseph Weeks, Joseph Campbell, Donald Ellis, John Kemmett and Stephen Regan. Town Planner Laurie Muncy was also present.

By motion made and seconded, the meeting was called to order at 7:00 PM.

The minutes of October 24 were tabled until the next meeting.

Joseph Weeks asked for a moment of silence to remember Mr. Robert Sutter and Mrs. Mary Lou Sutter who recently passed away. Mr. and Mrs. Sutter volunteered countless hours and served on several boards and committees in Hanson. The Planning Board also called for a moment of silence for Dave Bonney, a former building official for the Town of Hanson who also recently passed away.

At 7:05 PM Fire Chief Jerry Thompson approached the Board to discuss the need to address fire access for deep lots (retreat lots). These lots have constraints to fire access in relation to access, egress and location of fire hydrants in relation to the length of fire hoses to safely extinguish fires that may happen to either structures or property on these deep parcels. Mr. Jerry Thompson discussed the need for adequate access for fire apparatus and water supply. There is nothing in the current fire regulations that permit him to require an adequate driveway. We do not have regulations for retreat lots that would require construction standards to accommodate fire apparatus and there are concerns that the Town lacks construction standards to ensure the surface of the traveled way is of suitable width, grade, construction or vertical clearance to safely accommodate access for fire suppression. These properties should be constructed with a radius suitable to allow for the fire apparatus to safely turn around and egress the site quickly in the event that they are needed for another emergency in town.

Donald Ellis stated that the Board should discuss the concerns of the fire chief. Jerry Thompson stated that some towns have established regulations to accommodate properties with different topography or other constraints that prevents suitable access. He suggested that the Board do some research – he recommends 12' wide with a suitable surface to accommodate fire access. John Kemmett recommends that Chief Thompson submit what he feels is best for regulations. Chief Thompson also expressed concerns regarding adequate water supply – the prior fire code stated a 20' wide driveway was required if you were not within 500 feet of a hydrant. The access is crucial but water supply is also important.

Joseph Campbell stated that the material he has reviewed so far which he received from a training session at Old Colony Planning Council discussed the distance from the exterior door to the fire access road. He provided copies of the CMR as it relates to this topic. Chief Thompson indicated that the code that Mr. Campbell was referencing was removed from the fire code in November of 2016 and no longer applies. There is limited authority under the existing zoning bylaws as they relate to retreat lots and regulations would have to be drafted to apply to these lots. Joseph Campbell would like the fire chief to review all construction from last January, 2015 to current and asked that he physically inspect what needs to be done to bring these sites into compliance. Chief Thompson stated that he will work with

Laurie and Bob Curran to review what has happened and what we need for the town of Hanson moving forward. His concern is there are a lot more retreat lots coming and he would like to property owners to be safe. Joseph Campbell requested a list of properties that have access roads not 20 feet wide and which are greater than 250 in length.

Patrick Carrara stated that he has experience in these matters. He stated that some towns require either a 20' wide access road or they must install sprinklers within the property. He recommends that we regulate this through the ANR process.

Donald Ellis asked Chief Thompson, "What type of driveway would you prefer, paved or graveled?" Chief Thompson stated that the surface needs to be constructed in a manner that ensures that it can accommodate a fire or rescue vehicle. Stephen Regan stated that there is room for improvement in the ANR regulations and the checklist. Donald Ellis stated that the jurisdiction would come under the Building Commissioner and the Fire Chief. Retreat lots only are required to pull a building permit. Donald Ellis recommends that we regulate this under the ANR regulations which will allow us to grant waivers on a case by case basis. We can require compaction testing. We don't want to burden a homeowner but we need to be able to access the site safely and a turning radius sufficient to allow egress. The Fire Code may address this in another year or so but we should address this now. We need to decide whether we want to impose this cost on a homeowner. Chief Thompson is concerned about his ability to provide safety to the homeowners and the fire personnel.

Joseph Weeks stated that the Board will research regulations through the ANR process and review our zoning bylaws and begin working on this. Bob Curran and Chief Thompson will work with Laurie on this.

Mark Ridder was scheduled to appear before the Board to discuss recent consultant review invoices. John Kemmett made a motion to table the discussion until later in the meeting should Mr. Ridder show up late. Stephen Regan seconded the motion. The motion passed unanimously and the discussion was tabled.

At 7:35 PM the Board discussed the Brookside Estates development. A series of questions were submitted to the Board by Annette Benenato. These questions were:

- 1) **Street lights** - when & how will they be wired? What about adding a street light to entrance to Brookside Drive? If they are wired to homes, will this prevent the Town from taking over the roads?
- 2) **Sidewalks** - noticed water pooling at 1 Brookside Drive? Has there been a final inspection? The top soil needs to be replaced around some of the sidewalks and grass replanted?
- 3) **#1 Brookside Drive**: the mailbox has been asphalted so when it gets removed there will be a hole in the sidewalk.
- 4) **Cement cylinder**: it was left behind on Progress Way (in the mulch behind duplexes). when will it be removed?
- 5) **Snow Plowing** - is there a contract signed with a plowing company?
- 6) **Top Coat** - when will it be done?
- 7) **The drain barriers (the black sacks) on Progress Way & Brookside Dr** - will they be moved off the road because when the plows come through these will get damaged, leave a mess on the road, etc.

Donald Shute stated that the lights will be contracted through the Home Owners Association (HOA) and they should be energized (6 lights). There was no light planned for the Brookside entrance. There are two properties that do not want their driveways disturbed to facilitate the energy. One is the light on Progress Way – the straight away – this is not in a required location (i.e. intersections, curves). The property owners do not want those lights energized. There will be 3 lights connected – one across from Barakat frontage – and that requires disturbance to one homeowner. The question is not energizing the light on the straight away. Suzanne Hoey asked why the trench can't be put into the street. That would disturb the asphalt and is not recommended.

The property that receives a rebate for the lighting – is there something attached to the deed that indicates this. Donald Shute stated that the HOA will be paying the electric bill no matter who owns the house. The electric bill will not approach the minimum cost of street lights (about \$62 per month per light). The homeowner will be reimbursed up to fifty dollars a month. Joseph Weeks stated that the electric company estimated a price and Donald Shute will provide a reimbursement to the property owner.

Donald Ellis asked, "Is it possible to add a separate meter for the light posts?" Stephen Regan asked, "Should they have a common meter for the street lights?" Donald Shute replied that he asked Edison what is the cost of the lights. Edison does not meter streetlights. Donald Ellis stated that in doing this you will have to draw a document that transfers with the title of the house that is recorded against the property like a deed restriction. Stephen Regan stated that the light on the straight away – how far is that from the other lights?

Patrick Carrera stated, "To connect that light to the other three lights will transverse three properties." Stephen Regan asked, "Is there a way to connect to these other lights by crossing the asphalts to these other lights?" Donald Ellis said to Patrick, "Usually when you go into a road everything has to be covered in concrete. It is not as easy as it is when doing a single family dwelling." Patrick Carrera replied that National Grid might want the lines within the road layout but outside of the paved way so that any repairs do not disturb the roadway. Joseph Weeks asked, "Is it possible to install a solar light in this location?" Donald Shute stated, "Yes, I can get a solar light – they are not attractive – it will have a panel on top." Donald Ellis stated that this light is on the straight away – is anyone opposed to not illuminating the light? Annette Benenato stated, "That question has not been proposed to the property owners." Paul Benenato stated, "If you removed the light, we would have no problem but to leave it non-illuminated might not be attractive.

Annette Benenato stated, "I am concerned about the electric bill – if we are responsible for paying for paying the entire electric bill for the private property." The owners of 67 Progress Way asked, "What was the original idea of how to illuminate these lights?" Donald Shute stated, "The streetlights were always going to be owned and maintained by the HOA, when it went from an Industrial site to a residential site to a condominium site, there were revisions to the plans. That is the reason the light is shown on the straight away, it was a plan detail that did not get removed when the site was revised. John Kemmett stated, "The only change is that one light fixture – does it stay or does it go – that is a discussion for the HOA and the developer." Joseph Weeks stated, "The idea is that this is a HOA issue

and Mr. Shute is making the decision until he turns it over to the HOA. It comes down to the one light fixture – we don't have a say on the other lights. We can only vote to illuminate or not illuminate that one particular light." Patrick Carrera stated, "You are right as far as the energizing the light, it should really hinge on that one light."

Stephen Regan made a motion stating that ***we need something documented that the majority of the property owners wish to illuminate the light or remove the entire structure from the pad out. The light is either removed completely or will be replaced with a solar light.*** John Kemmett seconded the motion. The motion passed unanimously.

Patrick Carrera stated, "If there are issues with the sidewalks, they could be addressed in the spring." John Catchatori constructed the sidewalks. The contractors were asked by the homeowner not to touch the mailbox and were not granted permission. The mailbox is in the road layout. Donald Shute has contacted the owner regarding moving the mailbox, if it is not re-located by the spring Mr. Shute will move it himself in the spring. Joseph Weeks asked, "Why does this stuff happen?" Patrick Carrera replied, "When they place mailboxes, they place them where the mailperson does not have to get out of the vehicle." The mailbox is actually owned by the post office, not the property owner, according to Mr. Carrera. John Kemmett asked, "Why don't you move the mailbox, fill the hole and be done with it?" Donald Ellis stated, "It used to be a federal offense to touch mailboxes." Donald Shute stated, "I will send a registered letter to the property owner." Donald Ellis stated, "I spoke to Joe Gamache and he said all the mailboxes are in the cement sidewalk in the middle and he was told by the state inspectors not to touch them." Joseph Campbell stated, "It might be beneficial for the HOA to reach out to the property owner and see if they can work something else."

Cement Cylinder debris will be removed tomorrow according to Mr. Shute. He is re-sacking the catch basins tomorrow and will remove the cement at that time.

Snow Plowing: Not within jurisdiction of the Planning Board. Mr. Shute has two bids, one flat rate price and one per storm event. He will meet with one of the companies tomorrow and should have a signed contract in about a week.

Top Course of asphalt: Donald Shute stated that Warren Bush will do the top course – he has suggested and Patrick agreed to hold off on the top course until the spring. They are too dependent on the weather. They are on the docket for the spring. The plants normally close around November 15 and he did not want to raise the structures and leave them up during the snow season. Donald Shute has until April 30th to complete the top course. Patrick Carrera stated that most of the heavy construction traffic is complete. The binder course has held up well during construction. Sealing works best when pavement is fresh and does not adhere well during these temperatures. Patrick will take a good look at it in the spring. In the winter the only thing you can do is install cold patch. They cleaned out the edges of the pothole on Main Street and patched the pothole. They will keep an eye on it over the winter.

Silt Sock Barriers: Donald Shute stated they are being removed tomorrow and will be placed along the Barakat property to deal with the erosion of the slope. Joseph Weeks asked, "Is there anything that can be done between now and the next month?" Donald Shute replied, silt socks, canvass owners about the lights, he will notify the residents of who he chooses to handle the snow plowing.

Patrick Carrera stated that Mr. Shute has got a lot done over the last couple of months. Mr. Hoey of 9 Progress Way suggested that Donald Shute draft a petition to address the street light. Joseph Weeks recommends that 51% of the people sign and decide – that is the way we will go. The next scheduled meeting of the Board is December 12th or perhaps the 19th depending on the Open Space Committee schedule. Donald Shute will come back to the next meeting with a status update.

The discussion for Brookside Estates was closed at 8:30 PM. Donald Shute asked for an update on his request to release a portion of the cash surety held for this site. Patrick Carrera has prepared a revised cash surety estimate which was provided to the Board for review. His recommendation is to release \$75,000 based on his engineering review. He indicated that there were three bounds that he could not locate. One is on the boundary of the Barakat property. John Kemmett made a motion to address the release of cash surety in the amount of \$75,000 from the \$323,500 cash surety held to ensure completion of the site as long as Donald legally relocates the mailbox. Joseph Campbell seconded the motion. Stephen Regan stated that Mr. Shute has made a lot of progress and we have faith that you will complete the project. Donald Ellis asked, “Do we have enough money in the engineering review account to accommodate additional inspections?” Laurie Muncy stated that she will need to verify with Becky to determine the amount of money in the review account.

Joe Campbell approached the Board requesting updates from the liaison members. He asked if there were any Planning Board recommendations. Laurie provided copies of the Open Space plan to the Members for their review and comment.

Meeting adjourned at 9:25 PM

Respectfully submitted,

Laurie Muncy

Town Planner/Conservation Agent